



UNITED STATES PATENT AND TRADEMARK OFFICE

9/09/09

COMMISSIONER FOR PATENTS
 UNITED STATES PATENT AND TRADEMARK OFFICE
 P.O. Box 1450
 ALEXANDRIA, VA 22313-1450
www.uspto.gov

Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment document filed on 4/13/05 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121. In order for the amendment document to be compliant, correction of the following item(s) is required. Only the corrected section of the non-compliant amendment document must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted. 37 CFR 1.121(h).

THE FOLLOWING CHECKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- 1. Amendments to the specification:
 - A. Amended paragraph(s) do not include markings.
 - B. New paragraph(s) should not be underlined.
 - C. Other _____
- 2. Abstract:
 - A. Not presented on a separate sheet. 37 CFR 1.72.
 - B. Other _____
- 3. Amendments to the drawings: _____
- 4. Amendments to the claims:
 - A. A complete listing of all of the claims is not present.
 - B. The listing of claims does not include the text of all pending claims (including withdrawn claims).
 - C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following 7 status identifiers: (Original), (Currently amended), (Cancelled), (Withdrawn), (Previously presented), (New) and (Not entered).
 - D. The claims of this amendment paper have not been presented in ascending numerical order.
 - E. Other: Amend. 4/13/05 was not sign

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opls/preopnotice/officenotes.pdf>.

If the non-compliant amendment is a PRELIMINARY AMENDMENT, applicant is given ONE MONTH from the mail date of this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and this ONE MONTH time limit is not extendable.

If the non-compliant amendment is a reply to a NON-FINAL OFFICE ACTION (including a submission for an RCE), and since the amendment appears to be a bona fide attempt to be a reply (37 CFR 1.135(c)), applicant is given a TIME PERIOD of ONE MONTH from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).

If the amendment is a reply to a FINAL REJECTION, this form may be an attachment to an Advisory Action. The period for response to a final rejection continues to run from the date set in the final rejection, and is not affected by the non-compliant status of the amendment.

D. Hopkins
 Legal Instruments Examiner (LIE)

571-272-7259
 Telephone No.

FACSIMILE COVER SHEET

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NUMBER OF PAGES INCLUDING THIS COVER SHEET:

37

TO	COMPANY NAME	FAX NUMBER
USPTO		571 273 8300

FROM: Terry L. Watt, Reg. No. 42,214

**FELLERS, SNIDER, BLANKENSHIP,
BAILEY & TIPPENS, P.C.**
The Kennedy Building
321 South Boston Ave., Suite 800
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CONTACT US AT (918) 599-0621 AS SOON AS POSSIBLE.

MESSAGE: Please see attachment(s).

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Ochoa

Application No.: 09/098,997

Filed: 06/17/1998

Title: SYSTEM FOR BI-DIRECTIONAL
VOICE AND DATA
COMMUNICATIONS OVER A
VIDEO DISTRIBUTION NETWORK

Attorney Docket No.: VALENZ-98-27

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Art Unit:
2611

Examiner: Rueben M. Brown

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

MAIL STOP AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

This is in response to a Notice of Non-Compliant Amendment under 37 CFR 1.121 mailed April 28, 2005. Enclosed is a copy of said Notice and the following documents and fees to complete the filing requirements of the above-identified application.

- (X) A copy of the amendment filed on April 13, 2005, with a signed signature page.
- (X) Form PTO-2038 authorizing Extension of Time fee of \$1,080.00 to be charged to credit card.
- (X) A Petition for Extension of Time for reply to Notice of Non-compliant Amendment is attached.
- (X) five months (\$1,080.00)

Respectfully submitted,

By, 
Terry L. Watt, Attorney

I hereby certify that this Correspondence is being facsimile transmitted to the USPTO at 571 273 8300, on the date indicated below.

Date of Deposit: October 28, 2005

Typed Name: Carol Welch

Signature: 
#334025 v1

Reg. No. 42214
Date: October 28, 2005
Telephone No.: 918/599-0621